

EXHIBIT K



"Augustine Jr., Leonard J."
<ljaugustine@townsend.com
>

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To "Rita E. Tautkus" <rtautkus@morganlewis.com>, "Ahren C. Hoffman" <ahoffman@morganlewis.com>, "Amy M. Spicer" <aspicer@morganlewis.com>, "Andrew J. Wu" <awu@morganlewis.com>, "Brett M. Schuman" <bschuman@morganlewis.com>, "Harry F. Doscher" <hdoscher@morganlewis.com>, "R. Wilkins" <rwilkins@morganlewis.com>
cc "Sreenivasan, Priya" <psreenivasan@townsend.com>, "Augustine Jr., Leonard J." <ljaugustine@townsend.com>, "Hulse, Matthew R" <mrhulse@townsend.com>, "Jacobs, Eric P." <epjacobs@townsend.com>, "Shoiket, Igor" <ishoiket@townsend.com>

bcc

Subject "Accused Fairchild Device" definition

Brett and Andrew,

As we agreed to provide on yesterday's telephone conference, below is an alternate definition of "Accused Fairchild Device" that addresses most of the issues we have with your proposed definition. This alternate definition is provided without prejudice to any claim construction arguments that Fairchild may make. This alternate definition still does not address the issue of limiting discovery to representative parts as we discussed on yesterday's conference. We reserve all our rights to object based on overbreadth, undue burden and oppressiveness with respect to this definition in the absence of an agreement between the parties regarding representative parts.

The term "Accused Fairchild Device" shall mean any device which includes a power MOSFET made, used, offered for sale, or imported into the United States by Fairchild that comprises one or more of the following:

(a) any IC that includes a source contact area that is divided by at least one gate runner into two or more subcontact areas, and wherein each of the subcontact areas is connected to a lead-frame by more than one lead-wire; and/or

(b) devices made by a method in which a body region is formed adjacent to a trench, a source region is formed in the body region, and an implant is made into the body region of the same conductivity type as the source and which is other than an implant used to form the source; and/or

(c) MOSFET transistors having a body region formed through three dopant implants.

Regards,
Lennie Augustine

TOWNSEND and TOWNSEND and CREW LLP | 2 Embarcadero Center, 8th floor | San Francisco, CA 94111
Tel: 415-576-0200 | Fax: 415-576-0300 | Email: LJAugustine@townsend.com | Web: www.townsend.com